



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

M. REID RUSSELL
854 WEST 3390 SOUTH
HURRICANE, UT 84737

COPY MAILED

OCT 04 2005

OFFICE OF PETITIONS

ON PETITION

In re Application of :
Willis :
Application No. 10/774,007 :
Filed: February 9, 2004 :
Attorney Docket No. 7676 :

This is a decision on the petition under 37 CFR 1.137(a), filed July 12, 2005, to revive the above-identified application. The petition is also being treated under 37 CFR 1.181 (no fee) as a petition to withdraw the holding of abandonment.

The petition is **granted**.

A non-final Office action was mailed on November 15, 2004.

A response to the Office action was not received and the application was deemed abandoned as of midnight on February 15, 2005.

A Notice of Abandonment was mailed on June 9, 2005.

Petitioner contends a reply was timely filed in response to the non-final Office action.

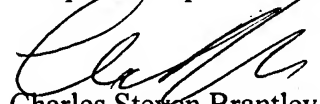
Petitioner has supplied a copy of a postcard receipt which contains the application number handwritten on the receipt along with verification an amendment was received on February 15, 2005. In addition, petitioner has supplied a showing in compliance with 37 CFR 1.8(b).

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Since the petition has been granted under 37 CFR 1.181, the petitioner's request to have the petition considered under 37 CFR 1.137(a) is dismissed as moot. No petition fee is required for a petition to withdraw holding of abandonment under 37 CFR 1.181. Therefore, the petition fee will be credited back to petitioner's deposit account.

Technology Center Art Unit 3643 will be notified the application is not abandoned and the examiner will consider the amendment in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
Petitions Attorney
Office of Petitions